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|  | <h1>DEPARTMENTAL REGULATIONS</h1> <h2>CYPRESS-FAIRBANKS I.S.D. POLICE DEPARTMENT</h2> |  |
| <b>DISTRIBUTION: ALL DEPARTMENT PERSONNEL</b>                                     | <b>EFFECTIVE DATE: 08/08/2013</b>   | <b>REVISED DATE: 11/20/2015</b>   |
| <b>SUBJECT: FO.08 MISSING PERSONS</b>   |   |   |

TPCA STANDARD(S):

**I. Purpose:**

Protecting life is of paramount importance to the department and is the primary reason it exists as an organization. Perhaps nothing disrupts the social order of a community more than the threat to life against its children and the elderly. As maintainers of the social order, the department must strive to protect the well-being of the community. This departmental regulation establishes procedures that ensure the efficient and effective investigation into incidents involving missing persons.

**II. Definitions:**

*Adult.* A person 18 years of age or older.

*Child Comfort Zones.* Any place a child may frequent or feel comfortable going. Comfort zones include places within the child’s residence [i.e. bedroom, attic hideout, etc.], the residence of a friend, and / or businesses or establishments that are frequented by the child. A comfort zone may also include a person with whom the child is comfortable.

*Child Safety Zone.* The distance a child could travel from the spot last seen before he or she would most likely be at risk of being injured or exploited. The child’s age, reasoning ability and physical condition should be factored into determining the perimeter of the child’s safety zone.

*Elderly.* A person 65 years of age or older.

*Family Abduction.* When a child is removed without authorization from his or her parent, custodial parent, guardian or other responsible party by force or other means to include coercion and the person(s) removing the child is the child’s non-custodial parent or other family member by blood or marriage.

*First Responder.* The uniformed officer ultimately responsible for creating the original offense report.

*Missing Child.* A person under the age of 18 years whose current location is unknown to the person’s parent(s), guardian or responsible party and the circumstances are unusual and / or would create reasonable concern for the child’s safety.

*Non-Family Abduction.* When a child is removed without authorization from his or her family, guardian or responsible party by force or by other means to include coercion and the person(s) removing the child is not a family member by blood or marriage.

*Runaway / Lost Child.* A person under the age of 18 years who has run away or has gotten lost and could be in danger given his or her age, level of maturity, mental competency and / or physical condition.

### **III. Dispatch Responsibilities:**

Rapid response and dissemination of information are critical to locating missing children. The police dispatcher, therefore, plays an integral role in the efficient and effective investigation of incidents involving missing children. Dispatchers will do the following when receiving information that a child is missing.

- a. Based upon the definitions, attempt to determine the category in which the missing child incident would fall.
- b. Obtain the child's clothing description, physical description, and the last known location of the child and when the child was last seen and by whom.
- c. Assign the call a code 2 priority [code 1 if abduction in progress] and relay all relevant information to the responding unit.
- d. Advise appropriate surrounding agencies [i.e. HPD, HCSO, Pct. 4/5] that the department has initiated a missing child investigation. Cancel advisory notifications as appropriate.
- e. Make notifications consistent with departmental regulation SO.01; Significant Events.
- f. Enter the missing child and / or wanted person(s) information into TCIC / NCIC when requested by the detective or the first responder [ per TCIC/NCIC guidelines, must be within 2 hours]. Clear TCIC / NCIC entries as appropriate.

### **IV. Initial Response:**

The department's initial response to a missing child call is a crucial component of the investigation and can greatly increase the likelihood that the child is found quickly and returned home safely. The following serve as guidelines to be followed by the first responder. The guidelines are not presented as step-by-step procedures and not all guidelines are appropriate in every investigation. The category in which a missing child investigation falls determines the appropriate initial response.

*Initial Interviews.* The first responder will interview parents and / or the reportee and attempt to obtain the following information. Interviews should be conducted individually and in private.

- a. A complete description of the child to include photographs and / or video footage if available.
- b. Determine when, where and by whom was the child last seen. Reconstruct the circumstances surrounding the disappearance as accurately and in as much detail as possible. Interview any potential witness to the incident.

- c. Determine if there has been a marital separation and who has custodial rights. Obtain court documents if possible.
- d. Determine whether problems exist that may have caused the child to run away.
- e. Determine whether the child has Internet access and uses social media or has used social media in the past. If so, secure the computer as forensic evidence.
- f. Identify and if possible interview the child's friends and / or the friends of older siblings.
- g. Obtain names, addresses and phone numbers of other relatives and / or adult family friends.

The purpose of the initial interview is to determine in which category the missing child incident falls. Specific questions should be asked of those interviewed that lead to that determination. A supervisor and the assigned investigator should be called to the scene if the first responder determines the missing child is other than a run away.

*Securing the Scene.* Crime scene integrity is paramount to a proper investigation. The scene of a missing child incident should be considered a crime scene and protected as such. The scene may require cordoning off with crime scene tape and the first responder should consider a child's comfort zones that are close to the scene as part of the scene. Some crime scenes [i.e. park, strip center, roadway or public building] may require the cooperation of other police agencies and / or the cooperation of an establishment's employees to protect. Unnecessary police personnel, witnesses and the general public must be restricted from entrance into the crime scene without the approval of the assigned investigator or supervisor. Evidence should remain undisturbed pending collection by the appropriate agency.

*Initial Search.* The first responder should organize the initial search. Officers from neighboring agencies may be requested to assist in the search. The first phase of the initial search is to determine that the child is actually missing. The first responder should search the last known location [i.e. house and grounds looking in closets, vehicles, garages, storage sheds, attics, etc.] where a small child could either hide or fall asleep. The reportee or someone familiar with the area should assist in the search.

Permission should always be obtained from a proprietor prior to searching a missing child scene at a business, establishment or public place. A representative of the business or establishment should assist in the search. Restrooms, offices, storage areas, parking lots, vehicles, etc. should be included in the search.

A search of the child's residence should be conducted when the child is reported missing from a place other than his or her residence and no tangible evidence exists to substantiate the report. Permission should be obtained from the appropriate person prior to searching the child's residence and the appropriate law enforcement agency must be requested to assist if the child's residence is not in the District limits.

A search of the immediate area must be conducted if the child is not found in conjunction with the crime scene search and there is reason to believe the child may be in the immediate area. The perimeter of the child's zone of safety may be used to define the immediate area search. A supervisor should organize the search of the immediate area. The managing supervisor should establish a field command post [a patrol

vehicle will suffice] away from the scene from which to direct the search effort. He or she must coordinate search efforts with neighboring jurisdictions if the search of the immediate area extends beyond the districts limits.

The scene supervisor should contact the Cypress-Fairbanks ISD Police Department K-9 unit or any available law enforcement agency with a K-9 unit to assist in the immediate area search if there is reason to believe the child may be on the ground. A police helicopter should be requested from the Houston Police Department if appropriate. Any volunteer search group [i.e. Equusearch] that shows up at the scene or contacts the department should be referred to the assigned investigator.

*Reports.* The first responder is responsible for completing the original offense report. All officers acting in a support capacity will complete and submit a supplement report documenting their actions to the first responder's original offense report. The first responder will ensure that the telecommunications division enters the missing child into TCIC / NCIC within two hours. The NCIC number shall be documented in the incident report. The assigned investigator is responsible for securing reports from any outside agency that renders assistance.

#### **V. AMBER Alert:**

An AMBER alert will be initiated when the preliminary investigation leads the follow up investigator or a member of the command staff to believe the child may have been abducted. Either a. through e. or b. through e. of the below criteria must be met to activate an AMBER alert.

- a. The child in question is 17 years of age or younger, whose whereabouts are unknown, and whose disappearance law enforcement has determined to be unwilling which poses a credible threat to the child's safety and health; and (i) if abducted by a parent or legal guardian, was the abduction in the course of an attempted murder, or
- b. The child is 13 years of age or younger, who was taken (willingly or unwillingly) without permission from the care and custody of a parent or legal guardian by:
  - i. Someone unrelated and more than three years older, or
  - ii. Another parent or legal guardian who attempted or committed murder at the time of the abduction.
- c. There is reason to believe that the child is in immediate danger of serious bodily injury, sexual assault, or death.
- d. A preliminary investigation has eliminated alternative explanations for the missing child's disappearance.
- e. There is sufficient information to disseminate to the public that could assist in locating the child, suspect or vehicle used in the incident.

An AMBER alert may only be activated by the assigned investigator or by a member of the command staff. Pictures of the child, suspect or suspect vehicle should be saved as a "JPEG" computer file. The investigator or a member of the command staff must amend an AMBER alert immediately upon locating the child in question. The message should provide details explaining how the child was located and recovered and whether an arrest was made. The dispatcher is responsible for notifying other law enforcement agencies through TLETS that the missing child has been located. The assigned investigator or a command staff member will notify the media that the child has been found.

## **VI. Endangered Missing Persons Alert Criteria**

A requesting law enforcement agency must meet **ALL** the below criteria in order to activate the State Endangered Missing Persons Alert Network:

- a. The missing person has been diagnosed with an Intellectual Disability and / or a Pervasive Developmental Disorder, including Asperger's Disorder, Autistic Disorder, Autism Spectrum Disorder, Childhood Disintegrative Disorder, Rett's Disorder or a Pervasive Developmental Disorder (Not Otherwise Specified)
- b. The missing person has been diagnosed with an Intellectual Disability, law enforcement shall require a written diagnosis from a physician or psychologist licensed to practice within Texas, or certified by the Texas Department of Aging and Disability Services and / or Texas Department of State Health Services.
- c. An investigation has taken place, verifying that a reasonable explanation for the missing person's disappearance has been ruled out and that the disappearance poses a credible threat to the health and safety of the missing person.
- d. The Endangered Missing Persons Alert request being made within 72 hours of the missing person's disappearance.
- e. There is sufficient information available to disseminate to the public that could assist in locating the missing person (highway signs will be activated only if accurate vehicle information is available AND it is confirmed that the missing person was in the vehicle at the time of the disappearance)

## **VII. Silver Alert Criteria**

A requesting law enforcement agency must meet all the below criteria in order to activate the State Silver Alert Network:

- a. The missing person is 65 years of age or older.
- b. The senior citizen lives in Texas.

- c. The senior citizen has a diagnosed impaired mental condition, and the senior citizen's disappearance poses a credible threat to the senior citizen's health and safety. Law enforcement shall require the family or legal guardian of the missing senior citizen to provide documentation from a medical or mental health professional of the senior citizen's condition.
- d. An investigation has taken place that confirms the senior citizen's disappearance is due to his / her impaired mental condition, and alternative reasons for the senior citizen's disappearance have been ruled out
- e. The Silver Alert request was within 72 hours of the senior citizen's disappearance.
- f. There is sufficient information available to disseminate to the public that could assist in locating the senior citizen (highway signs will be activated only if accurate vehicle information is available AND it is confirmed that the missing person was in the vehicle at the time of the disappearance)

#### **VIII. Blue Alert Criteria**

A requesting law enforcement agency must meet all the below criteria in order to activate the State Blue Alert Network:

- a. A law enforcement officer must have been killed or seriously injured by an offender.
- b. The investigating law enforcement agency must determine that the offender poses a serious risk or threat to the public and other law enforcement personnel.
- c. A detailed description of the offender's vehicle, vehicle tag, or partial tag must be available for broadcast to the public.
- d. The investigating law enforcement agency of jurisdiction must recommend activation of the Blue Alert to the State Operations Center (Texas Division of Emergency Management).

#### **IX. Follow Up Investigation:**

The investigator is the primary person responsible for follow up investigations involving a missing person. The detective sergeant will act as the investigator in the absence of an assigned investigator. Follow up investigations are guided by the following principles and / or activities.

- a. Debrief the first responder and any other officer who had a part in the preliminary investigation. Verify the accuracy of the information received and account for discrepancies. Conduct door-to-door canvassing, if appropriate, in an attempt to develop further leads. Information collected during the canvass will be recorded on the departmentally-approved form.

- b. Ensure all physical evidence is properly collected and tagged. Evidence may be collected by the detective, a departmental crime scene unit or a crime scene unit from another local, state or federal agency.
- c. Ensure that the details of the case are reported to the National Center for Missing and Exploited Children and the Department of Public Safety Missing Child Clearinghouse.
- d. Assimilate all original offense reports and supplements and develop a follow up investigative plan. The plan should identify the need for follow up interviews with parents, family members, friends, witnesses and potential suspects. This may also include timetables for administering polygraph examinations to key subjects.
- e. Develop a family dynamics profile to include information regarding previous calls for police service to the missing person's residence [i.e. domestic violence, etc.], reported child abuse to social service agencies and / or schools and the existence of insurance policies on the missing child.
- f. Establish a leads management system to prioritize leads and ensure that each lead undergoes review and follow up.
- g. Obtain the missing person's latest medical and dental records and any physical evidence from the residence that may be utilized for future DNA comparisons [i.e. hair from the missing person's hairbrush, saliva from toothbrush]. Obtain the missing person's fingerprints from a personal item if no pre-prepared fingerprint card is available.
- h. Prepare update bulletins and / or fliers for local police agencies, state and federal missing children's clearinghouses, FBI, etc. and distribute within the appropriate geographical locations. Utilize radio and television to solicit citizen tips and information.
- i. Establish a master file for all documents generated by the incident and include copies of all reports in file. Create a case activity log that chronologically lists the various investigative tasks completed in conjunction with the incident.
- j. Maintain communication with the command staff and ensure it is consulted and informed of each development in the case.
- k. Liaison with and seek assistance from other local law enforcement units to include the Houston Police Department's Juvenile Division.

#### **X. Command Staff Responsibilities:**

The police chief is responsible for managing any missing person's investigation in which the missing person is not immediately located. The assistant chief will manage the investigative effort in the police chief's absence. The following activities are the specific responsibility of the command staff.

- a. Obtain the necessary resources to maintain a long-term multi-jurisdictional investigative effort to include coordination with state and / or federal authorities.

- b. Activate the districts emergency notification system if appropriate. Coordinate the scope of the activation with the surrounding police agencies.
- c. Establish a command post away from the scene if the investigation goes beyond the initial response, preliminary investigation and search of the immediate area.
- d. Organize and deploy any long-term voluntary search team(s).
- e. Approve the detective's follow up investigative plan and keep abreast of each new development in the case.
- f. Establish a telephone hotline to receive tips and leads from the public or informants that are generated in response to bulletins and / or other public information releases.
- g. Establish and maintain a liaison with the missing person's family and ensure victim assistance programs are made available to the members of the missing person's family.

Alan Bragg  
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